

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Benjamin Spenser

Examiner: William H. Matthews

Serial No.: 10/637,882

Group Art Unit: 3774

Filing Date: August 8, 2003

Confirmation No. 2524

Title: IMPLANTABLE PROSTHETIC VALVE

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR § 1.56, the references listed on the attached Form PTO-1449 are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application.

I. Timing of the Information Disclosure Statement:

This Information Disclosure Statement is filed:

- With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
- With a Request For Continued Examination (RCE) under 37 C.F.R. § 1.114.
- Within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. §1.491.

II. Copies of the Cited Items:

Copies of all of the items listed on the attached Form PTO-1449 are enclosed except:

Copies of the U.S. references are not being submitted pursuant to 37 CFR 1.98(a)(2)(i).

Copies of those items which are marked with an asterisk(*) in the attached form PTO-1449 are not supplied because they were previously cited by or submitted to that Patent office in a prior application No. _____, filed _____ and relied upon in

Docket No. PVI-5789CIPDIV

this application for an earlier filing date under 35 U.S.C. § 120. See 37 C.F.R. § 1.98(d).

[] Copies of those items which are marked with an asterisk (**) in the attached Form PTO-1449 were cited in a foreign examination report in a related case. A copy of the Written Opinion and the cited references not already of record in this application are attached hereto.

III. Concise Explanation of Relevance:

A concise explanation of relevance of the items listed on Form PTO-1449 is not given.

[] A concise explanation of relevance of [some of] the items listed on Form PTO-1449 is in the form of an English language copy of the Written Opinion from a foreign patent office, issued in a counterpart application which refers to the relevant portions of the references (copy attached).

IV. Conclusion:

Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO 1449 with initials or other appropriate marks. The commissioner is hereby authorized to charge Deposit Account No. 50-1225, Docket No. PVI-5789CIPDIV any additional fees required in connection with the filing of this Information Disclosure Statement.

Date:

Respectfully submitted,

By: David L. Hauser, Reg. No. 42,643/

David L. Hauser, Esq.

Registration No. 42,643

Edwards Lifesciences

One Edwards Way, Law Department

Irvine, California 92614

Telephone: (949) 250-6801

Facsimile: (949) 250-6850

Customer No. 30452